

Frederick County Ethics Commission
Minutes for the Public Meeting of Thursday, April 7, 2016

Present: Brian Duncan, Chair
 Stephen K. Hess, Vice Chair
 Christopher Glass, Sr., Commission Member
 Timothy Tosten, Commission Member
 Anthony Ventre, Commission Member
 Linda B. Thall, Senior Assistant County Attorney

Absent: Beverly Freed, Alternate Commission Member

The meeting of the Frederick County Ethics Commission began at 7:00 p.m. on April 7, 2016, in the Winchester Room on the 2nd floor of Winchester Hall, 12 East Church Street, Frederick, Maryland 21701.

Proposed revisions to the Commission's Standard Operating Procedure (SOP) – The Commission continued its discussion from the April 6, 2016, meeting. A packet containing the following was distributed to the members: a draft Memorandum of Understanding between the Ethics Commission and the Office of the State's Attorney submitted by John Helms; the financial disclosure forms for elected officials, County employees and members of designated boards and commissions, published guidelines of the Ethics Commission for conflict of interest situations; the Ethics Commission's policy on political advocacy by Commission members; the ethics complaint form; Ethics Commission Regulation 12-01 on post-employment restrictions; and the lobbying registration and activity reports and instructions. An explanation concerning advisory opinions and a form complaint published by the City of Minneapolis were also distributed.

The discussion of the SOP revisions covered the recommendations for revision of the section on complaints, including a discussion of referrals to outside legal counsel, notice to parties to a complaint, how subpoenas would be issued, served and enforced, when recusal of Commission members was appropriate and the scope of the recusal, and the process for making referrals to the State's Attorney's Office. Mr. Duncan noted that he had contacted the State's Attorney for Frederick County, who would be in touch with the Commission on the questions related to ethics complaints that allege criminal law violations. There was also a discussion of whether all complaints that would be decided on the merits should have a formal hearing before the Commission or whether the Commission should retain the ability to resolve complaints in a more informal manner when deemed appropriate. Mr. Duncan agreed to provide language for the Commission members to consider.

The discussion of the SOP will resume at the April 13 meeting.

Adjournment

The Ethics Commission adjourned its meeting at approximately 9:00 p.m.

/s/
Linda B. Thall, Senior Assistant County Attorney